

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 24, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SIMONA G. MARIE and THOMAS
LEWIS, spouses; and ALTCONT, LLC, a
Washington limited liability company,
Plaintiffs,
v.
PACIFIC LIFE INSURANCE
COMPANY, a foreign corporation;
HARDING FINANCIAL PARTNERS,
INC., a foreign corporation; ANDREW J.
BROWN, an individual,
Defendants.

No. 4:23-CV-05093-SAB

**ORDER DENYING MOTION
TO DISMISS AMENDED
COMPLAINT; DENYING AS
MOOT MOTION TO STRIKE
BROWN RESPONSE**

Before the Court are Defendant Pacific Life Insurance Company's Motion to Dismiss Amended Complaint Pursuant to FRCP 12(b)(6) and 9(b), ECF No. 18, and Motion to Strike Response and Declaration of Andrew Brown, ECF No. 29. The Court held a hearing on the motions via videoconference on January 23, 2024. Plaintiffs were represented by Daniel Laurence. Defendant Pacific Life Insurance was represented by Claire Rootjes. Defendant Harding Financial Partners was represented by Amir Tadjedin. Defendant Brown was represented by Colin Troy and Philip Grennan.

**ORDER DENYING MOTION TO DISMISS AMENDED COMPLAINT;
DENYING AS MOOT MOTION TO STRIKE BROWN RESPONSE *1**

1 Defendant Pacific Life filed the Motion seeking their dismissal from the
2 above-captioned case and requested the Court strike Defendant Brown's response
3 to their Motion as improper.

4 For reasons stated on the record, the Court denied the Motion to Dismiss and
5 denied as moot the Motion to Strike. This Order memorializes the Court's oral
6 ruling.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 1. Defendant Pacific Life Insurance Company's Motion to Dismiss
9 Amended Complaint Pursuant to FRCP 12(b)(6) and 9(b), ECF No. 18, is
10 **DENIED.**

11 2. Defendant Pacific Life Insurance Company's Motion to Strike
12 Response and Declaration of Andrew Brown, ECF No. 29, is **DENIED as moot.**

13 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
14 file this Order and provide copies to counsel.

15 **DATED** this 24th day of January 2024.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

22 Stanley A. Bastian
23 Chief United States District Judge
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